

**Minerals Management Service
Interim Policy Document**

Effective Date: July 7, 2005

IPD No. 05-08

Series: Administrative

Title: Compensatory Time Off for Travel

Originating Office: Human Resources Office, Office of Administration and Budget

1. Purpose. This document provides policy and guidance to Minerals Management Service (MMS) managers, employees, and Servicing Human Resources Offices (HRO) regarding granting compensatory time off for travel when such time is not otherwise compensable.

2. Scope. This Interim Policy Document (IPD) applies to all MMS employees as defined in 5 U.S.C. 5541(2), without regard to whether the employee is exempt from, or covered by, the overtime pay provisions of the Fair Labor Standards Act of 1938, as amended, with the following exceptions:

- A. Senior Executive Service members.
- B. Prevailing rate employees.

3. Authority.

- A. Federal Workforce Flexibility Act of 2004, Section 203, (Public Law 108-111, October 30, 2004).
- B. Title 5, United States Code (U.S.C.), Chapter 55, Subchapter V, Section 5550b.
- C. Title 5, United States Code (U.S.C.), Code of Federal Regulations (CFR), Part 550, Subpart N.
- D. Interim OPM regulations, effective January 28, 2005.

4. Definitions.

- A. Travel status – travel time that is creditable in accruing compensatory time off for travel under 5 CFR 550, Subpart N.
- B. Usual waiting time – time that precedes or interrupts travel.
- C. Extended waiting period – an unusually long wait during which the employee is free to rest, sleep, or otherwise use the time for his or her own purposes (not considered time in a travel status).

D. Normal duty hours – 8, 9, or 10-hour work days.

E. Exempt/Non-exempt status – Employee status under the Fair Labor Standards Act. This is required in order to determine if travel outside of duty hours is otherwise compensable under the Fair Labor Standards Act (FLSA) or Title 5 Code of Federal Regulations (5 CFR.).

The following do not meet the criteria under the provisions of Compensatory Time Off for Travel and are not coded as 046 on the Time and Attendance record.

Situations that would be compensable under the FLSA or 5 CFR include:

(1) For **Exempt or Non-exempt** employees:

(a) The employee is involved in the actual performance of work while traveling.

(b) The travel is incident to the performance of work while traveling.

(c) The travel is carried out under such arduous conditions that it is inseparable from work.

(d) The travel results from an event that could not be scheduled or controlled administratively by the Government (e.g. sponsored by a private organization).

(2) For **Non-exempt** employees only, travel is compensable under the above situations, or:

(a) When the employee is involved in the actual performance of work while traveling, driving a vehicle is considered the performance of work under this section.

(b) The employee is a passenger on a one-day assignment away from the employee's permanent duty station.

(c) The employee travels on an overnight assignment on a non-workday during a time period that corresponds to the employee's regular duty hours (5 CFR 551.422(a)).

(d) The employee chooses to travel using an alternate mode of transportation or travel at another time than that offered or selected by the agency. The employee will receive the lesser of either the actual travel hours or the estimated hours of travel using the agency's authorized mode of travel (5CFR 551.422).

F. Meal times – Uninterrupted time eating a meal at an airport restaurant while waiting for a connecting flight.

G. Offset time – Time that must be deducted from creditable travel time.

(1) When traveling directly between the employee's home and temporary duty station, outside the limits of the employee's official duty station, time must be deducted for the employee's normal home-to-work/work-to-home commuting time.

(2) Normal commuting time must be deducted when employee is required to travel outside of regular working hours between home and a transportation terminal outside the limits of the employee's official duty station.

5. Policy. The MMS must credit employee requested compensable time off for travel to eligible employees for officially authorized travel for time spent away from the employee's official duty station when such time is not otherwise compensable.

A. Creditable time.

(1) Time spent traveling between the official duty station and a temporary duty station.

(2) Time spent traveling between two temporary duty stations.

(3) The "usual waiting time" that precedes or interrupts such travel, i.e., one hour for domestic flights, 2 hours for international flights, unless otherwise advised by the airlines.

B. Non-creditable time.

(1) Meal times.

(2) Normal commute times.

(3) Extended waiting periods.

C. Accrual of compensatory time off for travel.

Compensatory time off for travel will be accrued in increments of one-quarter hour (15 minutes). Additionally, compensatory time off for travel will be used in increments of one-quarter hour (15 minutes).

D. Method of calculation for compensatory time off for travel.

When an employee's travel involves two or more time zones, the time zone from the point of first departure must be used to determine how many hours the employee actually spent in a travel status for the purpose of accruing compensatory time off for travel.

6. Responsibilities.

A. Employee.

- (1) Request credit for projected compensatory time off for travel on the required MMS Form 0047 (attached) prior to the travel, or in cases of unusual wait times or extended delays, 5 working days after the travel.
- (2) Submit the Worksheet, MMS Form 0047, within 5 working days.
- (3) Schedule for use, earned compensatory time off for travel leave, along with projected use or lose annual leave in order to avoid forfeiture of use or lose leave at the end of the leave year.

B. Supervisor.

- (1) Ensure that travel was officially authorized and scheduled during regular tours of duty to the maximum extent possible.
- (2) Recommend approval in advance by estimating the amount of compensatory time to be earned by the traveler on MMS Form 0047.
- (3) Grant the use of compensatory time off for travel within the established MMS guidelines.

C. Approving Official. Supervisors may grant requests for compensatory time off for travel after review by the appropriate Associate Director (AD) or Regional Director. The approval authority may be further delegated to the Division Chiefs or equivalents.

D. Human Resources Office. Provides guidance in crediting and granting the compensatory time off for travel leave.

E. Finance Office. After employee/supervisor consultation with travel coordinators/ local points of contact, the finance office will provide guidance under the Federal Travel Regulations on what is considered allowable for payment or reimbursement and give guidance on reconstruction of travel.

7. Procedures.

A. Requesting Compensatory Time Off for Travel.

An employee must request projected compensatory time off for travel prior to the travel or within 5 working days of travel in cases of unusual wait times or extended delays. Request must be made using the attached Compensatory Time Off for Travel Worksheet to document the travel. The completed worksheet with actual time must be submitted within 5 working days of travel.

B. Earning Compensatory Time Off for Travel in Conjunction with Personal Travel.

(1) In the case of an employee who is offered one mode of transportation and who is permitted to use an alternative mode of transportation, or who travels at a time or by a route other than that selected by the bureau, the bureau shall determine the estimated amount of time in a travel status the employee would have incurred if the employee had used the mode of transportation offered by the bureau or traveled at the time and by the route selected by the bureau. In determining time in a travel status, the bureau shall credit the employee with the lesser of the two.

(2) Whenever a trip is interrupted for personal reasons, the compensatory time should be reconstructed, using as a basis the reconstructed travel submitted on the travel voucher for the purposes of establishing the financial obligation for travel. All such requests must have prior supervisory approval.

(3) In order to make an informed decision, the supervisor may request a cost comparison when approving compensatory time off for travel in conjunction with personal travel. The cost comparison should include: transportation costs, per diem, employee's salary, and lodging expenses. The costs compared would be the projected actual trip with stopovers or side trip and the reconstructed expenses without the personal travel. Reconstructed expenses must match the information submitted on the employee's travel voucher.

C. Requesting Use of Compensatory Time Off for Travel.

An employee must request permission from his/her supervisor to schedule the use of his/her accrued compensatory time off for travel in accordance with agency leave policies and procedures. This time may be used when the employee requests and is granted time off from his/her scheduled tour of duty established for leave purposes. Accrued compensatory time off for travel must be used in increments of one-quarter hour (15 minutes). Pay codes to be used are:

046 – Travel for Compensatory Time – Earned

047 – Travel for Compensatory Time – Used

D. Time Frame for Use of Compensatory Time Off for Travel.

(1) An employee must use his/her accrued compensatory time off for travel by the end of the 26th pay period after the pay period in which it was credited or it will be forfeited.

(2) Under the following situations the compensatory time off for travel will be held in abeyance:

(a) Separation or leave without pay to perform service in the uniformed services, as defined in 38 U.S.C. 4303 and 5 CFR 353.102, and a return to service through the exercise of a reemployment right.

(b) Separation or leave without pay due to an on-the-job injury with entitlement to injury compensation under 5 U.S.C. chapter 81. In the above situations, the employee must use all of

the compensatory time off held in abeyance by the end of the 26th pay period following the pay period in which the employee returns to duty.

E. Forfeiture of Compensatory Time Off for Travel.

In addition to 10A above, the employee will forfeit all compensatory time off for travel under the following circumstances:

- (1) Separation from Federal service.
- (2) Transfer to another agency, i.e., outside of DOI.
- (3) Movement to a position in an agency that is not covered by the compensatory time off for travel provisions. However, the gaining agency may use its own legal authority to give the employee credit for such compensatory time off.

F. Tracking of Compensatory Time Off for Travel.

Compensatory time off for travel must be tracked and managed separately from other forms of compensatory time off. Pay codes 046 and 047 are used for this purpose.

8. Further information. Further information on compensatory time off for travel, including questions and answers and examples of creditable travel time, may be found under compensatory memoranda CPM-2005-03, at the Office of Personnel Management's website, www.opm.gov/oca/compmemo/2005/2005-03.

9. Cancellation. This IPD will remain in effect until no longer needed, until incorporated into the MMS Manual, or when new OPM regulations are issued.

Robert E. Brown
Associate Director for Administration
and Budget

MINERALS MANAGEMENT SERVICE
COMPENSATORY TIME OFF FOR TDY TRAVEL WORKSHEET

Employee: _____
FLSA* Exempt: ____ FLSA* Non-Exempt: ____
Dates of Travel: _____
Destination: _____
Is Itinerary attached? Yes ____ No ____

TA#: _____

Projected Estimate Approved: _____

Approving Official's Signature

Date

Part I. DEPARTURE INFORMATION (to TDY site)

DAY/DATE _____

	Projected Time	Actual Time	Time Zone
a. Depart Residence/Office	_____	_____	
b. Normal Commute Time	_____	_____	
c. Arrival at Airport/Other	_____	_____	
d. Flight/Other Departure Time	_____	_____	
e. Flight/Other Arrival Time	_____	_____	_____
f. Arrival at TDY site/Hotel	_____	_____	_____
g. Meal Times	_____	_____	
h. Travel Day Duty Hours (Mon.-Fri.)	_____ am	_____ pm	
i. Travel Comp Time Earned	_____	_____	

j. Explain any differences between itinerary and actual flight times, and explain extended delays, early airport arrivals or layovers: _____

Part II. RETURN INFORMATION (from TDY site)

DAY/DATE _____

	Projected Time	Actual Time	Time Zone
a. Depart TDY site/Hotel	_____	_____	_____
b. Arrival at Airport/Other	_____	_____	
c. Flight/Other Departure Time	_____	_____	
d. Flight/Other Arrival Time	_____	_____	_____
e. Meal Times	_____	_____	
f. Arrival at Residence/Ofc.	_____	_____	
g. Normal Commute Time	_____	_____	
h. Travel Day Duty Hours (Mon.-Fri.)	_____ am	_____ pm	
i. Travel Comp Time Earned	_____	_____	

j. Explain any differences between itinerary and actual flight times, and explain extended delays, early airport arrivals or layovers: _____

Part III. CERTIFICATION

I certify that the information entered on this worksheet is true and correct to the best of my knowledge and belief, and that Compensatory Time Off for Travel claimed is not otherwise compensable as hours of work.

Traveler's Signature

Date

Actual Compensatory Time Off for Travel Earned, as shown on this worksheet, is approved. I certify that travel scheduled on non-government time is necessary, and in the best interest of the government.

Approving Official's Signature

Date

MINERALS MANAGEMENT SERVICE
INSTRUCTIONS FOR COMPENSATORY TIME OFF FOR TDY TRAVEL WORKSHEET

PURPOSE: To request and record the amount of projected and actual compensatory time off for travel earned.

INSTRUCTIONS: This form, reflecting projected time, along with the travel authorization and itinerary are routed to the Approving Official prior to travel. The traveler then records actual travel times on the form.

GENERAL INFORMATION:

FLSA Exempt/Non-Exempt-Traveler's status under the Fair Labor Standards Act (FLSA)

Time Zone- Indicate time zone. (i.e., Mountain Time, Central Time, etc.) When travel involves 2 or more time zones, times must be converted to the time zone from first departure.

Explanations-(Part I. j & Part II. j) Record brief explanations of differences or discrepancies between the projected and actual times entered. Briefly explain any early or late arrivals or departures, extended layovers, or lengthy waiting periods.

PART I. DEPARTURE INFORMATION (to TDY site)

- a. **Depart Residence/Office-**Circle Residence or Office. **Record times here only if:** 1) traveling directly from residence to Temporary Duty Site or to a transportation terminal outside the limits of the traveler's official duty station; OR 2) traveler went from Official Duty Station directly to the Temporary Duty Site or transportation terminal.
- b. **Normal Commute Time-** List the usual amount of time that it takes to travel between residence and Official Duty Station. **Record times here to offset creditable time in travel status only if:** 1) traveling directly from residence to Temporary Duty Site or to a transportation terminal outside the limits of the traveler's official duty station.
- c. **Arrival at Airport/Other-** Record arrival time at airport /transportation terminal if applicable.
- d. **Flight/Other Departure Time** -Record Projected Flight Departure time (or other mode of transportation) as shown on Itinerary. Record the Actual Flight/Other Departure Time and the time zone.
- e. **Flight/Other Arrival Time-**Record Projected Flight Arrival time (or other mode of transportation). Record the Actual Flight/Other Arrival Time. Convert all times to the time zone from the point of first departure.
- f. **Arrival at TDY site/Hotel-** Circle TDY site or Hotel. Record the time of Arrival.
- g. **Meal Times** - deduct the amount of time actually spent on bona fide meal periods.(i.e., 30 minutes, 1 hour)
- h. **Travel Day Duty Hours-** If travel occurred on a Monday through Friday, record the start and stop time for that day's regularly paid (compensated) duty hours (hours of workday).
- i. **Travel Comp. Time Earned-** Record Projected and Actual amount of Travel Compensatory Time off earned that is not otherwise compensable as hours of work.
- j. **Explanations** -see General Information (above)

PART II. RETURN INFORMATION (from TDY site)

- a. **Depart TDY site/Hotel-**Circle TDY site or Hotel. Record the Projected Time, Actual Time, and Time Zone.
- b. **Arrival at Airport/Other-** Record arrival time at airport /transportation terminal if applicable.
- c. **Flight/Other Departure Time-**Record Projected Flight Departure time (or other mode of transportation) as shown on the Itinerary. Record the Actual Flight/Other Departure Time.
- d. **Flight/Other Arrival Time-** Record Projected Flight Arrival time (or other mode of transportation). Record the Actual Flight /Other Arrival Time. Convert all times to the time zone from the point of first departure.
- e. **Meal Times** - deduct the amount of time actually spent on bona fide meal periods.(i.e., 30 minutes, 1 hour)
- f. **Arrival at Residence/Office-** Circle Residence or Office. **Record times here only if:** 1) traveling directly from Temporary Duty Site or transportation terminal outside the limits of the official duty station, to residence; OR 2) traveler went directly to Official Duty Station from the Temporary Duty Site or transportation terminal.
- g. **Normal Commute Time-** List the usual amount of time that it takes to travel between residence and Official Duty Station. **Record times here to offset creditable time in travel status only if:** 1) traveling directly from Temporary Duty Site to residence or from a transportation terminal outside the limits of the traveler's official duty station.
- h. **Travel Day Duty Hours-** If travel occurred on a Monday through Friday, record the start and stop time for that day's regularly paid (compensated) duty hours (hours of workday).
- i. **Travel Comp. Time Earned-** Record Projected and Actual amount of Travel Compensatory Time off earned that is not otherwise compensable as hours of work.
- j. **Explanations-** see General Information (above)

PART III. CERTIFICATION- (Signatures required upon completion of travel)

Traveler: Sign and date certifying that all information entered on the worksheet is accurate.

Approving Official: Sign and date approving the necessity and amount of actual travel compensatory earned.